



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/615,564 07/13/00 LEIFER

R 200-10 (CIP)

024336 MMC2/1003
KEUSEY, TUTUNJIAN & BITETTO
14 VANDERVENTER AVENUE, SUITE 128
PORT WASHINGTON NY 11050

EXAMINER

TON, A

ART UNIT

PAPER NUMBER

2875

DATE MAILED:

10/03/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

*Spoke with Mr. Tutunjian
abandoned*

Office Action Summary

Application No.

09/615,564

Applicant(s)

LEIFER ET AL.

Examiner

Anabel M Ton

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-29 is/are allowed.
- 6) ☒ Claim(s) 1,2,3,4,6,7,8,10 and 12 is/are rejected.
- 7) ☒ Claim(s) 30,5,9,11,31-34 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3,4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Objections

1. Claim 30 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 30 recites, "a magnifying lens disposed within the frame housing", this is redundant with respect to claim 1.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1,2,4,6,7,10 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Tortola et al (5,165,779).
Tortola discloses a compact computer device, a light/magnifier comprising: a frame having a frame opening adapted to be positioned over the video screen (fig 2); a magnifying lens disposed within said frame opening (28); a light source; and a reflective surface positioned to reflect light received from said light source toward the video screen, the reflective surface comprises a flat reflective surface (col. 3, lines 1-34),

Art Unit: 2875

power supply means for supplying the light source with electrical current, a battery compartment, a battery power source, an on/off power switch, electrical circuitry adapted to connect said battery power to said light source in, response to a position of said power switch (abstract), light source, a directional light source for projecting light toward said reflective surface, the flat reflective surface is pivotally mounted to said frame (col. 5 lines 1-33).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tortola et al.

6. Tortola discloses the claimed invention except for the reflector surface comprising a curved reflective surface. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a reflector with a curved surface, for reflectors with such shape are well known in the art, and since the applicant has not disclosed that implementing a curved reflector solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with a flat reflector. With regards to the light source being an incandescent light bulb, although the prior art cited does not show such a light source, it would have been obvious to one of ordinary skill in the art at the time the invention was made to

Art Unit: 2875

implement an incandescent light source as a principal light source, for use of such a light source is old and well known in the art.

Allowable Subject Matter

7. Claims 13-29 and 31-34 are allowed.
8. Claims 5,9 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
9. The following is a statement of reasons for the indication of allowable subject matter: The prior art cited does not disclose a combination of the following:
 - Power supply means comprises a plug electrically adapted to be releasably connected to a link port of the compact computer device;
 - An additional reflective surface disposed opposite said curved reflective surface across said frame opening for further reflecting light reflected from said curved reflective surface back toward said curved reflective surface;
 - The compact computer device having a power supply, an on/off power switch and a link port adapted to connect the compact computer device to another compact computer device, the combined light/magnifier comprising: a frame having a frame opening formed from an upper frame opening and a lower frame opening, said frame opening being positionable over the video screen; a magnifying lens disposed within said upper frame opening; a light source disposed at a side of said flame for projecting light toward an opposing side of

said frame; and a reflective surface disposed at said opposing side and adapted to receive and reflect light from said light source toward the video screen;

- Power supply means comprises a plug electrically connected to the combined light/magnifier and adapted to be releasably connected to the link port of the computer device to obtain electrical current from the power supply of the compact computer device.
- The flat reflective surface comprises a mirror, reflective Mylar, hot stamped chrome;

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Naghi et al .

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anabel M Ton whose telephone number is (703) 305-1084. The examiner can normally be reached on 08:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3431 for regular communications and (703) 308-7724 for After Final communications.

Application/Control Number: 09/615,564

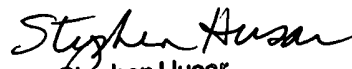
Page 6

Art Unit: 2875

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Anabel M Ton
Examiner
Art Unit 2875

AMT
September 18, 2001


Stephen Huser
Primary Examiner